

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1522**

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**Introduced by Assembly Member V. Manuel Perez**

February 27, 2009

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~~An act to add Section 53545.5 to the Health and Safety Code, relating to housing—An act to amend Section 22358.4 of the Vehicle Code, relating to vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1522, as amended, V. Manuel Perez. ~~Housing and Emergency Shelter Trust Fund Act of 2006: priority consideration.~~ *Vehicles: school zones.*

*Existing law authorizes a local authority to, among other things, establish in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, a 15 miles per hour prima facie limit when approaching, at a distance of less than 500 feet from, or passing, a school building or the grounds thereof, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 15 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. Existing law also provides that the prima facie limit applies when approaching, at that same distance, or passing school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with one of those signs.*

*This bill would authorize a local authority in a rural area, as defined, that establishes a prima facie speed limit under these provisions to designate a school zone to include a state highway if the highway is*

*within 1,000 feet of a school building or the grounds of a school building, including school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates the posted speed limit.*

~~Under existing law, the Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are used to finance, among other things, various existing housing programs. Existing law requires the Department of Housing and Community Development to administer the funds allocated to certain housing programs and annually report the allocation of those funds.~~

~~This bill would require the department, in administering the expense of funds for specified housing programs, to give priority funding consideration to developers who work with organizations that provide training for at-risk youth.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 22358.4 of the Vehicle Code is amended
- 2     to read:
- 3     22358.4. (a) (1) Whenever a local authority determines upon
- 4     the basis of an engineering and traffic survey that the prima facie
- 5     speed limit of 25 miles per hour established by paragraph (2) of
- 6     subdivision (a) of Section 22352 is more than is reasonable or safe,
- 7     the local authority may, by ordinance or resolution, determine and
- 8     declare a prima facie speed limit of 20 or 15 miles per hour,
- 9     whichever is justified as the appropriate speed limit by that survey.
- 10    (2) An ordinance or resolution adopted under paragraph (1)
- 11    shall not be effective until appropriate signs giving notice of the
- 12    speed limit are erected upon the highway and, in the case of a state
- 13    highway, until the ordinance is approved by the Department of
- 14    Transportation and the appropriate signs are erected upon the
- 15    highway.
- 16    (b) (1) Notwithstanding subdivision (a) or any other provision
- 17    of law, a local authority may, by ordinance or resolution, determine
- 18    and declare prima facie speed limits as follows:

(A) A 15 miles per hour prima facie limit in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, when approaching, at a distance of less than 500 feet from, or passing, a school building or the grounds of a school building, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 15 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching, at a distance of less than 500 feet from, or passing, school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates a speed limit of 15 miles per hour.

(B) A 25 miles per hour prima facie limit in a residence district, on a highway with a posted speed limit of 30 miles per hour or slower, when approaching, at a distance of 500 to 1,000 feet from, a school building or the grounds thereof, contiguous to a highway and posted with a school warning sign that indicates a speed limit of 25 miles per hour, while children are going to or leaving the school, either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching, at a distance of 500 to 1,000 feet from, school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a school warning sign that indicates a speed limit of 25 miles per hour.

(2) The prima facie limits established under paragraph (1) apply only to highways that meet all of the following conditions:

(A) A maximum of two traffic lanes.

(B) A maximum posted 30 miles per hour prima facie speed limit immediately prior to and after the school zone.

(3) The prima facie limits established under paragraph (1) apply to all lanes of an affected highway, in both directions of travel.

(4) When determining the need to lower the prima facie speed limit, the local authority shall take the provisions of Section 627 into consideration.

(5) *In a rural area as defined in Section 50101 of the Health and Safety Code, a local authority that establishes a prima facie limit under paragraph (1) may designate a school zone to include a state highway if the highway is within 1,000 feet of a school*

1 *building or the grounds of a school building, including school*  
2 *grounds that are not separated from the highway by a fence, gate,*  
3 *or other physical barrier while the grounds are in use by children*  
4 *and the highway is posted with a school warning sign that indicates*  
5 *the posted speed limit.*

6 ~~(5)~~

7 (6) (A) An ordinance or resolution adopted under paragraph  
8 (1) shall not be effective until appropriate signs giving notice of  
9 the speed limit are erected upon the highway and, in the case of a  
10 state highway, until the ordinance is approved by the Department  
11 of Transportation and the appropriate signs are erected upon the  
12 highway.

13 (B) For purposes of subparagraph (A) of paragraph (1), school  
14 warning signs indicating a speed limit of 15 miles per hour may  
15 be placed at a distance up to 500 feet away from school grounds.

16 (C) For purposes of subparagraph (B) of paragraph (1), school  
17 warning signs indicating a speed limit of 25 miles per hour may  
18 be placed at any distance between 500 and 1,000 feet away from  
19 the school grounds.

20 (D) A local authority shall reimburse the Department of  
21 Transportation for all costs incurred by the department under this  
22 subdivision.

23 ~~SECTION 1. Section 53545.5 is added to the Health and Safety~~  
24 ~~Code, to read:~~

25 ~~53545.5. The Department of Housing and Community~~  
26 ~~Development, in administering the expense of funds for housing~~  
27 ~~programs specified in Section 53545, shall give priority funding~~  
28 ~~consideration to developers who work with organizations that~~  
29 ~~provide training for at-risk youth.~~